

CHAP. V.—An Act providing for the erection of certain counties therein named, and for other purposes.

Oct. 27, 1849.

*Be it enacted by the Legislative Assembly of the Territory of Minnesota,* That so much of the said Territory as is contained within the following boundaries be and the same is hereby erected into a separate county, which shall be known by the name of Washington, to wit: Beginning at a point on the Mississippi river where the township line between townships 27 and 28 north of range No. 22 west of the fourth principal meridian intersects said river, thence east on said line to its intersection with the range line between range 21 and 22 west of the 4th principal meridian, thence due north on said line to its intersection with the third correction line, thence due west on said correction line to the intersection of range line between twenty-one and twenty-two west of [the] 4th principal meridian, thence due north on said range line to its intersection with the northern boundary line of town thirty-six north, thence due north to its intersection with the southern boundary line of Itasca county, thence in a south-easterly direction along said county line to its intersection with the eastern boundary line of the aforesaid Territory, thence south upon the eastern boundary line of said Territory to its intersection with the Mississippi river, thence up said river to the place of beginning.

Washington county established, its limits, &c.

SEC. 2. That so much of the said Territory as is contained within the following boundaries be and the same is hereby erected into a separate county, which shall be known by the name of Ramsey, to wit: Beginning at the point on the Mississippi river, where the township line between townships 27 and 28 north of range No. 22 west of the 4th principal meridian intersects said river, thence up said river to the intersection of range line between ranges 25 and 26 west of the fourth meridian in township No. 32 north, thence due north along said range line to its intersection with the northern boundary line of township 36, thence in a line due north to its intersection with the Mississippi river, thence up said river to its intersection with the southern boundary line of Itasca county, thence in a south-easterly direction along said boundary line to its intersection with the western boundary line of Washington county thence south along said western boundary line to its intersection with the township line between townships 27 and 28 north, of range No. 22 west of 4th meridian, thence west along said township line to the place of beginning.

Ramsey county established, its boundaries, &c.

SEC. 3. That so much of said Territory as is contained within the following boundaries be and the same is hereby erected into a separate county, which shall be known by the name of Benton, to wit: Beginning at a point in the Mississippi river made by the intersection of range line between ranges 25 and 26 west of the 4th principal meridian in township No. 32 north with said river, thence due north along the western boundary line of Ramsey county to its intersection with the Mississippi river, thence down said river to the point of commencement.

Benton county established, its boundaries, &c.

SEC. 4. That so much of the said Territory as is contained within the following boundaries be and the same is hereby erected into a separate county, which shall be known by the name of Itasca, to wit: Beginning at the point where 36 (46) degrees 30 minutes north latitude intersects the eastern boundary line of the Territory of Minnesota, thence north along the eastern boundary line of said Territory to the British possessions, thence along the northern boundary line of said Territory to the middle of the Lake of the Woods, thence south in a direct line to the Mississippi river, thence down said river to the

Itasca county established, its limits, &c.

mouth of Muddy Creek, thence in a direct line to the point of beginning.

Wabashaw  
county establish-  
ed, its limits, &c.

Sec. 5. That all that portion of the said Territory lying south of a line running due west from a point on the Mississippi river opposite the mouth of the St. Croix river to the Missouri river, be and the same is hereby erected into a separate county, which shall be known by the name of Wabashaw.

Dakotah county  
established, its  
limits, &c.

Sec. 6. That all that portion of the said Territory lying south of a line running due west from the mouth of Clear Water river, to the Missouri river, and north of the north boundary line of Wabashaw county, be and the same is hereby erected into a separate county, which shall be known by the name of Dakotah.

Wahnahta coun-  
ty established, its  
limits, &c.

Sec. 7. That all that portion of said Territory, lying south of a line running due west from the mouth of Crow Wing river, to the Missouri river, and north of the northern boundary line of Dakotah county, be and the same is hereby erected into a separate county, which shall be known by the name of Wahnahta.

Mahkahto coun-  
ty established, &c.

Sec. 8. That all that portion of said Territory lying between the Mississippi and Missouri rivers, south of the forty-seventh degree of north latitude, and north of the northern boundary line of the county of Wahnahta, be and the same is hereby erected into a separate county, which shall be known by the name of Mahkahto.

Pembina county  
established, &c.

Sec. 9. That all that portion of said Territory, not embraced within the limits of any of the foregoing counties, be and the same is hereby erected into a separate county, which shall be known by the name of Pembina.

Certain counties  
organized for all  
purposes.

Sec. 10. That the counties of Washington, Ramsey and Benton, be and the same are hereby declared to be organized counties, and invested with all and singular the rights, privileges and immunities to which all organized counties in this Territory shall be and are by law entitled.

Certain counties  
organized for spe-  
cial purposes.

Sec. 11. That the counties of Itasca, Wabashaw, Dakotah, Wahnahta, Mahkahto and Pembina, be and the same are hereby declared to be organized only for the purpose of the appointment of justices of the peace, constables, and such other judicial and ministerial offices as may be specially provided for.

All suits, &c.  
pending in the first  
judicial district  
shall be tried in  
Washington coun-  
ty.

Sec. 12. That all suits, processes and proceedings, civil or criminal, at law or in chancery, and all indictments and informations, which shall be pending and undetermined in any of the courts of the first judicial district under its original organization, when this act goes into effect, shall be heard, tried and determined in said courts; and all bonds, recognizances filed in or taken by said courts of any kind whatsoever, shall be deemed and held as binding and effectual as the same would or should have been, had the said district remained unaltered.

All officers in  
the county of St.  
Croix shall con-  
tinue as such for  
the county in  
which they may  
reside until, &c.

Sec. 13. That all officers duly elected or appointed, and qualified for the county of St. Croix under its original organization, shall and the same are hereby respectively authorized to hold their said offices for the county in which he or they shall reside, when this act shall go into effect, the said officers so holding over to remain in such office until their successors shall be duly elected at the next general election, or appointed and qualified as the case may be.

Governor to fill  
vacancies, &c.

Sec. 14. That the Governor be and he is authorized and empowered to fill the several vacancies that may exist in any of the offices, or any of the several counties organized by virtue of this act, which said officers so appointed shall hold their said offices until their successors are duly appointed or elected at the next general election for county officers, as the case may be.

SEC. 15. That all taxes which have been duly assessed in the county of St. Croix under its original organization, shall be collected by the proper officer, and paid into the treasury of said county, and after discharging all the debts which may exist against said county at the time of the taking effect of this act, the remainder shall be divided among the several counties in proportion to the amount of property assessed.

All taxes collected in the county of St. Croix to go to pay debts, and the remainder divided, &c.

SEC. 16. That the seat of justice of the county of Washington shall be at Stillwater; the seat of justice of the county of Ramsey shall be at St. Paul; and the seat of justice of the county of Benton shall be within one quarter of a mile of a point on the east side of the Mississippi river, directly opposite the mouth of Sauk river.

Certain seats of justice fixed, &c.

SEC. 17. That the county of Ramsey is hereby declared to be the first judicial district; the county of Washington is hereby declared to be the second judicial district, and the county of Benton is hereby declared to be the third judicial district.

Judicial districts established, &c.

SEC. 18. That the Hon. Aaron Goodrich is hereby assigned as the judge of the first judicial district; the Hon. David Cooper as judge of the second judicial district, and the Hon. B. B. Meeker as judge of the third judicial district.

Judges of court assigned certain districts.

SEC. 19. That the counties of Itasca and Wabashaw are hereby attached to the county of Washington for judicial purposes; that the counties of Dakotah, Wahnahta and Mahkahto are hereby attached to the county of Ramsey for judicial purposes; and the county of Pembina is hereby attached to the county of Benton for judicial purposes.

Certain counties attached for judicial purposes.

SEC. 20. That the counties of Itasca, Wabashaw, Dakotah, Wahnahta Mahkahto, and Pembina shall each be entitled to any number of justices of the peace not exceeding six, and to the same number of constables, which said justices and constables shall receive their appointment from the Governor; and their term of office shall be two years unless sooner removed by the Governor.

Certain counties entitled to certain justices of the peace and constables to be appointed by the Governor.

SEC. 21. That the justices and constables appointed for said counties shall be conservators of the peace, and shall each give a bond to the Territory, to be approved by the Secretary, in the sum of five hundred dollars, for the faithful performance of their duties, upon which bond they may at any time be sued for the benefit of any aggrieved by reason of the willful omission of duty or misconduct of such officers.

Duties of justices and constables, to give bonds, &c.

SEC. 22. This act shall take effect from and after its passage and publication in the several newspapers of the Territory as provided for by law.

When act took effect.

APPROVED the twenty-seventh day of October, one thousand eight hundred and forty-nine.

CHAP. VI.—An Act concerning Justices of the Peace, and the action of forcible entry and detainer.

Nov. 1, 1849.

ARTICLE I.

OF THE ELECTION AND QUALIFICATION OF JUSTICES OF THE PEACE.

Be it enacted by the Legislative Assembly of the Territory of Minnesota, There shall be elected by the qualified voters of each precinct in each of the organized counties of this Territory, two justices of the peace, whose term of office shall continue two years, and who shall be residents of the precinct for which they may be elected.

Two justices elected, term of office and residence.